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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)	June 3, 2002
)	
Lennart Nelson)	
)	
Serial No.: 09/762,225)	Group Art Unit No.
)	
Filed: January 30, 2001)	
)	
A DEVICE FOR AND METHOD OF)	Examiner:
DETECTING A DISEASE OF THE)	
UDDER OF AN ANIMAL)	

PCT Branch
Assistant Commissioner of Patents
Washington, D.C. 20231
Attention: Patricia A. Booker

Sir:

REQUEST TO WITHDRAW NOTICE OF ABANDONMENT

Applicant received a Notice of Abandonment for failure to respond to the notification of Missing Requirements in this application dated May 23, 2002, copy attached. Applicant respectfully submits that the Notice of Abandonment was issued in error and respectfully requests that the Notice of Abandonment be withdrawn.

The Notice Of Abandonment asserts that applicant failed to respond to the notification of Missing Requirements dated March 6, 2001.

In support of this Request, applicant submits herewith a copy of each of the following documents submitted and received April 5, 2001, including a copy of the post-card receipt showing timely receipt of all of these documents:

1. Express Mail transmittal;
2. Notification of Missing Requirements
3. Submission of missing parts;
4. original facsimile assignment to DeLaval Holding AB;
5. check for \$40.00 for recordal of assignment;

6. original facsimile of Combined Declaration and Power of Attorney.

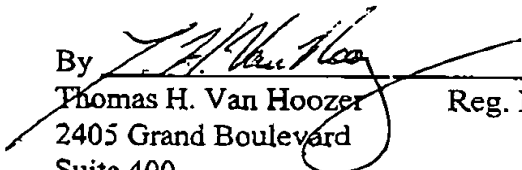
As noted in the Submission of missing parts, the fee for late submission of the oath was paid with the application, and thus no additional fees were due. In any event, the Submission authorized the Office to charge any additional fees to Deposit Account 19-0522.

Thus, pursuant to Rule 1.8, applicant timely responded to the notice of Missing Requirements and submits that the Notice of Abandonment was issued in error. In fact, applicant had previously written the Office requesting a filing receipt. Reinstatement of the application, according the application a filing date of April 5, 2001 when all material necessary to complete the national phase application under 35 U.S.C. §371, and passage to examination on an expedited basis in view of the delays occasioned by the Office is courteously requested. Applicant further requests that the Assignment herein be recorded.

Should the examiner have any questions which may be resolved by a telephone conference, they may be directed to the undersigned at 1-800-445-3460. Any additional fees necessitated by this submission may be charged to Deposit Account 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

By 

Thomas H. Van Hoozer

Reg. No. 32,761

2405 Grand Boulevard

Suite 400

Kansas City, Missouri 64108

(816) 474-9050

(Docket No. 31185)

Law Offices
HOVEY WILLIAMS LLP
2405 Grand - Suite 400
Kansas City, Missouri 64108

Phone: (816) 474-9050

Fax: (816) 474-9057

TELEFACSIMILE COVER SHEET

TO: Ms. Patricia Booker
U.S. Patent and Trademark Office

FAX: 703-305-3230

FROM: Thomas H. Van Hoozer

DATE: June 6, 2002

NUMBER OF PAGES (including cover sheet):

15****NOTE:**

If you do not receive all of the pages or encounter difficulties in transmission, please contact us immediately at (816) 474-9050

Operator: Jana Mashburn

SUBJECT:

Application Serial No. 09/762,225; Filed: January 30, 2001

A DEVICE FOR AND METHOD OF DETECTING A DISEASE IN THE UDDER OF AN ANIMAL

Dear Ms. Booker:

Per your conversation with Tom Van Hoozer this date, we attach herewith a copy of our submission of Request to Withdraw Notice of Abandonment and the supporting documents showing proof of submission of Missing Parts in a timely manner to expedite the handling of this matter and to ensure that our submission does not get misplaced. This submission was transmitted by Express Mail on June 3, 2002. If you have any further questions, please give us a call.

Very truly yours,

Jana R. Mashburn
Assistant to Thomas H. Van Hoozer
HOVEY WILLIAMS LLP

The documents accompanying this transmission contain information from the law firm of Hovey Williams LLP. The information is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, any reading, disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. The documents should be returned to this firm immediately. If you have received this facsimile in error, please notify us by telephone immediately so we can arrange for the return of the original documents to us at no cost to you.

CASE:

MAILED:

Lennart Nelson

Docket No. 31185

6/3/02

A DEVICE FOR AND METHOD OF DETECTING A DISEASE OF THE
UDDER OF AN ANIMAL

TVH/jrm

S/N: 09/762,225

Filed: January 30, 2001

INSTRUMENT:

Enclosed are: Request to Withdraw Notice of Abandonment (2
pgs); Copy of Notice of Abandonment dated May 23, 2002 (1
pg); Copy of Return Postcard showing filing of Missing Parts
dated April 5, 2001 (1 pg); Copy of Transmittal of Missing
Parts dated April 5, 2001 (8 pgs).

TO: Commissioner for Patents, Box PCT, Washington, D.C. 20531
The official Patent stamp of the United States Patent & Trademark Office hereon is
evidence of the fact that subject instrument for the above-identified case has been
received by the United States Patent & Trademark Office

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)	Examiner: Joann Stewart
)	Group Art Unit:
Lennart Nelson)	
)	
Serial No.: 09/762,225)	
)	
Filed: January 30, 2001)	
)	
Title: A DEVICE FOR AND METHOD OF)	
DETECTING A DISEASE OF THE UDDER OF)	
AN ANIMAL)	

TRANSMITTAL

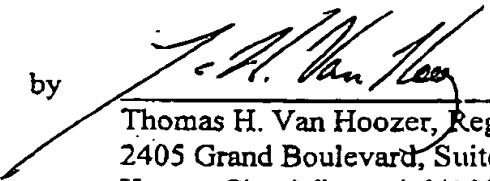
Transmitted herewith is/are: Request to Withdraw Notice of Abandonment (2 pgs);
Copy of Notice of Abandonment dated May 23, 2002 (1 pg); Copy of Return
Postcard showing filing of Missing Parts dated April 5, 2001 (1 pg); Copy of
Transmittal of Missing Parts dated April 5, 2001 (8 pgs); and return postcard.
This/These document(s) is/are being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope
addressed to: Box PCT, The Assistant Commissioner for Patents, Washington, D.C.
20231 on June 3, 2002.

EV 116065695 US

Respectfully submitted,

HOVEY WILLIAMS LLP

by


Thomas H. Van Hoozer, Reg. No. 32,761
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
(816) 474-9050

ATTORNEYS FOR APPLICANT

(Docket No. 31185)

ALECTO

JUN 6 2002

ENTERED BY 



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231

U.S. APPLICATION NUMBER NO. 09/762,225	FIRST NAMED APPLICANT Edward Nelson	ATTY. DOCKET NO. 31185
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23589
HOVEY WILLIAMS TIMMONS & COLLINS
2405 GRAND BLVD., SUITE 400
KANSAS CITY, MO 64108RECEIVED
HOVEY WILLIAMS LLP

INTERNATIONAL APPLICATION NO.

PCT/SE99/01276

I.A. FILING DATE

PRIORITY DATE

07/15/1999

CONFIRMATION NO. 2856

371
ABANDONMENT/TERMINATION
LETTER

OC000000008180215

Date Mailed: 05/23/2002

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated Office (37 CFR 1.494), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 03/06/2001 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

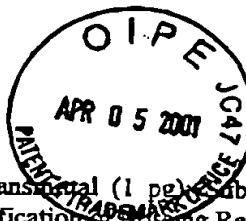
FORM PCT/DO/EO/909 (371 Abandonment Notice)

CASE:

Lennart Nelson
Docket No. 31185
A DEVICE FOR AND METHOD OF DETECTING
A DISEASE OF THE UDDER OF AN ANIMAL
S/N 09/762,225
Filed January 30, 2001

MAILED:

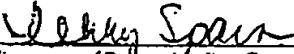
4/5/01
TVH/ltg



Enclosed are: Express Mail Transmittal (1 pg); Submission of
INSTRUMENT: Missing Parts (1 pg); copy of Notification of Missing Requirements
(1 pg); original facsimile Assignment to DeLaval Holding AB (2
pgs); check for \$40.00 for recordal of assignment; original facsimile
Combined Declaration/POA. All to: Assistant Commissioner of
Patents, Box MISSING PARTS, Washington, D.C. 20231.
EXPRESS MAIL # EL 759816597 US

The official date stamp of the United States Patent & Trademark Office hereon is
evidence of the fact that subject instrument for the above-identified case has been
received by the United States Patent & Trademark Office.

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No.
Applicant(s): Lennart Nelson			31185
Serial No.	Filing Date	Examiner	Group Art Unit
09/762,225	January 30, 2001		
Invention: A DEVICE FOR AND METHOD OF DETECTING A DISEASE OF THE UDDER OF AN ANIMAL			
<p>I hereby certify that this Express Mail Transmittal (1 pg); Submission of Missing Parts (1 pg); copy of Notification of Missing Requirements (1 pg); original facsimile Assignment to DeLaval Holding AB (2 pgs); check for \$40.00 for recordal of assignment; original facsimile Combined Declaration/POA, and return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on April 5, 2001.</p> <p><u>Terry Spain</u> (Typed or Printed Name of person Mailing Correspondence)</p> <p><u></u> (Signature of Person Mailing Correspondence)</p> <p><u>EL 759816597 US</u> ("Express Mail" Mailing Label Number)</p>			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of)	Application Branch
)	
Lennart Nelson)	
)	
Serial No. 09/762,225)	Group Art Unit No.
)	
Filed January 30, 2001)	
)	
A DEVICE FOR AND METHOD OF DETECTING)	
A DISEASE OF THE UDDER OF AN ANIMAL)	

Assistant Commissioner of Patents
Box Missing Parts
Washington, D.C. 20231

SUBMISSION OF MISSING PARTS

In response to the "Notice to File Missing Parts" dated March 6, 2001 (copy appended), enclosed herewith find the following:

1. A Combined Declaration and Power of Attorney executed by inventors Lennart Nelson and Lars Ove Sjaunja. The surcharge of \$130 for furnishing the Oath later than 30 months was submitted with the application when it was initially filed with the U.S. Patent and Trademark Office. Therefore, no additional fee should be due;
2. An assignment from the inventor(s) to DeLaval Holding AB;
3. A check in the amount of \$40.00 to cover the recording of such assignment; and
4. A Declaration claiming small entity status; and

Should any further fees be required, the Office is authorized to deduct the same from Deposit

Account No. 19-0522.

"Express Mail" mailing label No. EL759P1659745

Date of Deposit Apr. 05 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231

Terry Spain
(Typed or printed name of person mailing paper or fee)

Terry Spain
(Signature of person mailing paper or fee)

(Docket No. 31185)

Respectfully submitted,

HOVEY, WILLIAMS, TIMMONS & COLLINS

By

Thomas H. Van Hoozer Reg. No. 32,761
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
816/474-9050

Sheet No.: 31185

FORM PTO-1595 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/04)
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PDBA/REV02

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

NELSON, Lennart
and
SJAUNJA, Lars Ove

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: 29 March 2001

2. Name and address of receiving party(ies):

Name:

Address: DeLaval Holding AB

Box 39

SE-147 21

City: State/Prov.: Tumba

Country: Sweden ZIP:

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: 29 March 2001

Patent Application No.

Filing date

B. Patent No.(s)

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas H. Van Hoozer

Registration No. 32,761

Address: HOVEY, WILLIAMS, TIMMONS
& COLLINS

2405 Grand Boulevard, Suite 400

City: Kansas City State/Prov.: MO

Country: USA ZIP: 64108

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

8. Deposit account number:

19-0522

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas H. Van Hoozer

Name of Person Signing

Signature

April 5, 2001

Date

Total number of pages including cover sheet, attachments, and

generally do everything possible for aiding in securing and maintaining proper patent protection.

Signed at Uppsala, this

24 day of March 20.01

Inventor(s):

Lennart Nelson

Witness:

Bill Sugden

Signed at

Uppsala, this

25 day of March 20.01

Inventor(s):

Lars Ove Sjaunja

Witness:

Jenny Andersson



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address: ASSISTANT COMMISSIONER FOR PATENTS
 Box PCT
 Washington, D.C. 20231

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

023589

5071

HOVEY WILLIAMS TIMMONS & COLLINS
 2405 GRAND BLVD., SUITE 400
 KANSAS CITY MO 64108

PCT/SE99/01276
INTERNATIONAL APPLICATION NO.

1A. FILING DATE

07/15/99

PRIORITY DATE

07/21/98

DATE MAILED:

03/06/01

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
☒ U.S. Basic National Fee.

- ☒ Copy of the international application in:
☐ a non-English language.
☒ English.

- ☐ Translation of the international application into English.

- ☐ Oath or Declaration of Inventors(s) for DO/EO/US.

- ☐ Copy of Article 19 amendments.

- ☐ Translation of Article 19 amendments into English.

- ☒ The International Preliminary Examination Report in English and its Annexes, if any.

- ☐ Translation of Annexes to the International Preliminary Examination Report into English.

- ☒ Preliminary amendment(s) filed 30/Jan/01 and _____

- ☐ Information Disclosure Statement(s) filed _____ and _____

- ☐ Assignment document.

- ☐ Power of Attorney and/or Change of Address.

- ☐ Substitute specification filed _____

- ☐ Verified Statement Claiming Small Entity Status.

- ☒ Priority Document.

- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.

- ☐ Other: _____

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date.